

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PAUL BEETZ III, Individually, as Trustee
of the,

Plaintiff,

v.

THOMAS AMBROSI, AMBROSI,
DONAHUE, CONGDON, & Co., P.C.,
MAE BRADSHAW, MAE BRADSHAW,
P.C., and LINDLEY BRIGGS, Individually,
and as Trustee of the,

Defendants.

4:07CV3078

MEMORANDUM AND ORDER ON
MOTION OF DEFENDANTS FOR
ENLARGEMENT OF TIME

Pending is a motion, document 44, of the defendants for enlargement of time asking that time to respond to the Plaintiff's Motion to Alter or Amend Judgment be enlarged to December 16, 2007. The plaintiff filed a Notice of Appeal on December 13, 2007. On December 17, 2007, the defendants filed Defendants' Joint Opposition to Plaintiff's Motion to Alter or Amend Judgment. No ruling has been made on the Motion of Defendants' (sic) for Enlargement of Time.

Generally, the filing of a Notice of Appeal transfers jurisdiction to the circuit court, *Moore's Federal Practice*, Third Edition, § 303.32[1]. However, there are some steps that a district court may take after the filing of a Notice of Appeal, if those steps would not alter the status of the case and might maintain the status quo or aid the appeal. *Id.* § 303.32[21][b][ii]. Accordingly,

IT IS ORDERED that the Motion of Defendants' (sic) for Enlargement of Time, filing 44, is granted by extending until December 17, 2007, the time within which the defendants may respond to the Plaintiff's Motion to Alter or Amend Judgment. Such response was made on December 17 and, accordingly, is timely.

Dated December 19, 2007.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge